



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/925,193	08/09/2001	Alan A. Winder	41482/253466	4292
30559	7590	10/31/2007		
CHIEF PATENT COUNSEL SMITH & NEPHEW, INC. 1450 BROOKS ROAD MEMPHIS, TN 38116			EXAMINER JAWORSKI, FRANCIS J	
			ART UNIT 3768	PAPER NUMBER
			MAIL DATE 10/31/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Interview Summary

Application No.

09/925,193

Applicant(s)

WINDER ET AL.

Examiner

Jaworski Francis J.

Art Unit

3768

All participants (applicant, applicant's representative, PTO personnel):

(1) Jaworski Francis J.

(3) _____

(2) Rtt Gffin, Reg. No. 57,975.

(4) _____

Date of Interview: 25 October 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: _____

Claim(s) discussed: 44.

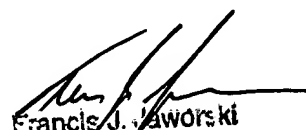
Identification of prior art discussed: Greenwood, of record.

Agreement with respect to the claims f) ☒ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.


Francis J. Jaworski
Primary Examiner

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

1) Claim 44 to be allowable with the following amendments: in line 5 after " surface " has been added -- , wherein said top surface, said bottom surface and said plurality of side surfaces are adapted --, and after " such that " an " has been deleted in favor of -- a therapeutic -- , in line 6 after "strikes " "an " has been deleted in favor of -- a human tissue --, after " interface " " whereby " has been deleted and " organic " has been changed to -- said human --. 2) Language considered to satisfy MPEP2111.04 as structurally distinguished to tissue therapy . 3) dependent claims considered to be in a definite form as further modifying the human tissue type e.g. bone or soft tissue being acted upon.


Francis J. Jaworski 10/25/07
Primary Examiner

Scrap Copy

Jul-05-07 12:58

From-KILPATRICK STOCKTON LLP

+4048156118

T-840 P.15/38 F-810

USSN 09/925,193
Filed: August 9, 2001
Amendment and Response
Page 9 of 19

R. Scott Griffin 57,975

41. (Original) The apparatus of claim 28, wherein said modal converter comprises a material having a longitudinal velocity less than a longitudinal velocity for bone tissue.

42. (Original) The apparatus of claim 28, wherein said modal converter comprises thermoplastics, elastomers or combinations thereof.

43. (Original) The apparatus of claim 42, wherein said modal converter further comprises ethyl vinyl acetate, ecothane, polyurethane, silicone or combinations thereof.

44. (Currently Amended) A modal converter, comprising:

a top surface capable of receiving a first transducer,

a substantially flat bottom surface parallel to the top;

a plurality of side surfaces capable of receiving at least one second transducer and positioned at critical angles relative to the bottom surface such that an acoustic wave emitted from at least one of the first and second transducers strikes an interface, whereby said acoustic wave impinges and has a therapeutic effect on organic tissue.

45. (Original) The modal converter of claim 44, wherein said modal converter further comprises a trapezoidal cross-section.

46. (Canceled)

47. (Previously Presented) The modal converter of claim 44, wherein at least one side surface is positioned at a first critical angle relative to the bottom surface of the modal converter so that at least one of the ultrasonic transducers acoustically coupled to the at least one side surface can emit an acoustic wave that converts partially into a longitudinal wave traveling parallel to and along a skin tissue surface and converts

time type to what the device is applied.